

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FRISCO, TEXAS, AMENDING FRISCO'S CODE OF ORDINANCES, ORDINANCE NO. 06-03-31, CHAPTER 70 (SIGNS), SECTION 70-16 (SIGNS ALLOWED; PERMIT REQUIRED), SECTION 70-18 (PROHIBITED SIGNS) AND SECTION 70-28 (DEFINITIONS); ESTABLISHING REGULATIONS GOVERNING TEMPORARY CONSTRUCTION FENCE SIGNS; PROVIDING A SAVINGS/REPEALING CLAUSE, SEVERABILITY CLAUSE, PENALTY CLAUSE AND AN EFFECTIVE DATE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

WHEREAS, the City Council of the City of Frisco, Texas ("City Council") has investigated and determined that it would be advantageous and beneficial to the citizens of the City of Frisco, Texas ("Frisco") to establish regulations governing temporary construction fence signs; and

WHEREAS, the City Council finds that it therefore is necessary to amend Frisco's Code of Ordinances, Ordinance No. 06-03-31, as amended ("Code of Ordinances"), Chapter 70 (Signs), Section 70-16 (Signs allowed; permit required), Section 70-18 (Prohibited signs) and Section 70-28 (Definitions), as set forth below.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FRISCO, TEXAS:

SECTION 1: Findings Incorporated. The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 2: Amendment to the Code of Ordinances, Chapter 70 (Signs), Section 70-16 (Signs allowed; permit required), Section 70-18 (Prohibited signs) and Section 70-28 (Definitions). The Code of Ordinances, Chapter 70 (Signs), Section 70-16 (Signs allowed; permit required), Section 70-18 (Prohibited signs) and Section 70-28 (Definitions) are hereby amended as follows:

**"CHAPTER 70
SIGNS**

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Sec. 70-16 Signs allowed; permit required

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(24) Temporary construction fence sign.

- (a) Time. A sign permit is required. A sign permit shall not be issued to erect, place or install a temporary construction fence sign on a property until a building permit has been issued for a building on the property. The temporary construction fence sign must be removed prior to the issuance of a certificate of occupancy for the building on the property. Where the property has multiple buildings with outstanding building permits, the temporary construction fence sign must be removed upon the earlier of: (i) the expiration or termination of all such outstanding building permits; or (ii) prior to the issuance of a certificate of occupancy for the last such building on the property.

- (b) Place. Temporary construction fence signs are permitted in all zoning districts except for single-family residential zoning districts. A maximum of one (1) temporary construction fence sign is allowed along a major street frontage per property. When a property has more than one (1) major thoroughfare, one (1) temporary construction fence sign may be placed along each major thoroughfare. A property with more than two hundred (200) feet of major street frontage is entitled to place one (1) additional temporary construction fence sign with a minimum separation of two hundred (200) feet between each temporary construction fence sign.

- (c) Manner. The maximum area of graphics, symbols, text or images printed directly onto the fence or barrier's screening fabric is one hundred twenty-eight (128) square feet. Temporary construction fence signs that are not printed directly onto the fence or barrier's screening fabric shall be attached to the temporary fence or barrier with an approved rigid backing material that is securely affixed to the fence or barrier. Temporary construction fence signs that are not printed directly onto the fence or barrier's screening fabric may be a maximum of eight (8) feet in height but shall not extend beyond the height of the fence or barrier and have a maximum area of ninety-six (96) square feet.

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Sec. 70-18 Prohibited signs

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- (14) Prohibited signs:

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- h. Any sign supported by a fence, except for temporary construction fence signs governed by this chapter; or

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Sec. 70-28 Definitions

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Temporary construction fence sign. A sign containing graphics, symbols, text or images securely attached to, or printed directly onto the screening fabric of, a temporary fence or barrier placed around the entire perimeter of an active construction site that is removed at the conclusion of construction. Such graphics, symbols, text or images advertise or depict only those businesses, professions, products, services, accommodations and/or activities that are permitted and planned to be conducted, sold or offered on the premises on which the temporary fence or barrier is located.

...”

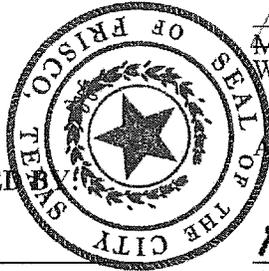
SECTION 3: Savings/Repealing. The Code of Ordinances shall remain in full force and effect, save and except as amended by this or any other ordinance. All provisions of any ordinance in conflict with this Ordinance are hereby repealed, but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent prosecution from being commenced for any violation occurring prior to the repeal of the ordinance. Any remaining portions of conflicting ordinances shall remain in full force and effect.

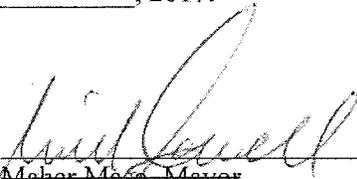
SECTION 4: Severability. Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional and/or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof, regardless of whether any one or more sections, subsections, sentences, clauses or phrases is declared unconstitutional and/or invalid.

SECTION 5: Penalty. Any person, firm, entity or corporation violating any provision of this Ordinance, as it exists or may be amended, shall be guilty of a misdemeanor, and on conviction, shall be fined in an amount not exceeding Five Hundred Dollars (\$500.00). Each continuing day’s violation shall constitute a separate offense. The penal provisions imposed under this Ordinance shall not preclude Frisco from filing suit to enjoin the violation. Frisco retains all legal rights and remedies available to it pursuant to local, state and federal law

SECTION 6: Effective Date. This Ordinance shall become effective from and after its adoption and publication as required by the City Charter and by law.

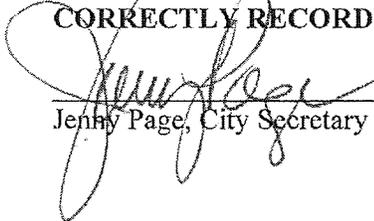
DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FRISCO, TEXAS on this 21st day of February, 2017.





Maher Maso, Mayor
Will Sowell, Mayor Pro-Tem

ATTESTED TO AND
CORRECTLY RECORDED



Jenny Page, City Secretary

APPROVED AS TO FORM:



Abernathy Roeder Boyd & Hullett P.C.
Ryan D. Pittman, City Attorneys

Dates of Publication: February 24 & March 3, 2017, *Frisco Enterprise*